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April 12, 2007

Receiver: USPTO, Office of Petitions

TEL #:

FAX #: 571-273-8300

Sender: K. Gomez for Marc S. Hanish
Our Ref. No.: APL1P214/P2664

Re: U.S. Patent No. 7,123,728

Pages Including Cover Sheet(s): 7

MESSAGE:

Please consider the attached Renewed Petition for Duplicate Letters Patent.

CONFIDENTIALITY NOTE

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Cupertino • Minneapolis • Oakland

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
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APR 12 2007

In re application of: King et al.

Attorney Docket No.: APL1P214/P2664

Application No.: 09/929,935

Examiner: Graham, Andrew R.

Filed: August 15, 2001

Group: 2644

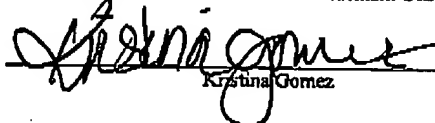
Title: SPEAKER EQUALIZATION TOOL

Confirmation No. 1140

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted by facsimile to fax number 571-273-8300 to the U.S. Patent and Trademark Office on April 12, 2007.

Signed:


Kristina Gomez

RENEWED PETITION FOR DUPLICATE LETTERS PATENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully petitions for the issuance of duplicate Letters Patent for the above-identified matter.

Enclosed herewith are:

A copy of the Declaration previously submitted by Agnes Spence showing documented pertinent facts by the person having direct knowledge. It will establish that a diligent search was made for recovery of the original Grant.

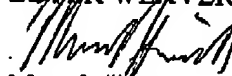
A statement from the practitioner stating that the Office communication was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the office communication was not received.

A copy of the PATTSY docket record for the above-identified patent indicating that the Letters Patent was not received (the entry for receipt has not been closed by a date).

Applicant requests that the previously paid Petition Fee of \$400 be refunded.

Respectfully submitted,

BEXER WEAVER LLP



Marc S. Hanish

Reg. No. 42,626

P.O. Box 70250
Oakland, CA 94612-0250
408-255-8001

APR 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: King et al.

Attorney Docket No.: APL1P214/P2664

Application No.: 09/929,935

Examiner: Graham, Andrew R.

Filed: August 15, 2001

Group: 2644

Title: SPEAKER EQUALIZATION TOOL

Confirmation No. 1140

**DECLARATION OF FACTS IN SUPPORT OF PETITION FOR
DUPLICATE LETTERS PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This declaration is made as to facts that are relied upon to establish the diligent search for recovery of the original Grant. This declaration is being made by the available person having first-hand knowledge of the facts recited therein.

I, Agnes F. Spence, do hereby declare:

1. That I am an employee of Applicant's attorney, Beyer Weaver & Thomas, LLP
2. That on or after October 25, 2006, patent copies but not the ribbon copy of the Letters Patent for the referenced patent were received in the Mountain View office by courier. Subsequently, I contact the Oakland office regarding the missing Letters Patent and was informed by our Docketing Department that the Letters Patent has not been received from our P.O. Box mail box (address of P.O. Box 70250, Oakland, CA 94612-0250).
3. A search of the Mountain View and Oakland office was performed but the ribbon copies of the Letters Patent was not found.
4. I contacted the Publication Branch of the United States Patent and Trademark Office on December 8, 2006 verifying the address of where the Letters Patent were mailed. I was notified that the Letters Patent were mailed on October 17, 2006.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: Dec. 10, 2004

Agnes F. Spence
Patent Legal Secretary

APR 12 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: King et al.

Attorney Docket No.: APL1P214/P2664

Application No.: 09/929,935

Examiner: Graham, Andrew R.

Filed: August 15, 2001

Group: 2644

Title: SPEAKER EQUALIZATION TOOL

Confirmation No. 1140

**STATEMENT OF FACTS IN SUPPORT OF RENEWED PETITION FOR
DUPLICATE LETTERS PATENT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I hereby attest that I did not receive the Original Letters Patent in the above-identified case and that a search of the file jacket and docket records indicates that the Original Letters Patent was never received. A copy of our docket record is attached to the present document. As can be seen from that record, no entry for an Original Letters Patent was made. If an Original Letters Patent had been received, it would have been noted in an entry preceding the issue notification on page 2 of the record.

I am an attorney of record in the above-identified application.

Respectfully submitted,

BEYER WEAVER LLP



Marc S. Hanish
Reg. No. 42,626

P.O. Box 70250
Oakland, CA 94612-0250
408-255-8001

BWT#	APL1P214US		PRINTED ON: 4/9/2007	
COUNTRY	US	UNITED STATES	TITLE	
NEW/CON	NEW	SERIAL#	09/929,935	SPEAKER EQUALIZATION TOOL
RELATED		PATENT#	7,123,728	
TYPE	UTL	STATUS	ISSUED	
CLIENT	APL1	APPLE INC.	1	CREF P2664US1
AGENT				AREF

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL UP	1	2	P
Z9	N	FILE APPLICATION	5/31/2001	0 M	5/31/2001		5/31/2001	0	8/15/2001	3 M	Y	Y	Y
AS	Y	ASSIGNMENT	8/15/2001										
PC	N	POST CARD CHECK	8/15/2001	1 M	9/15/2001		9/15/2001	0	8/30/2001	0 M	Y	Y	Y
Z8	N	COMPLETE FRML PAPERS	8/15/2001	2 M	10/15/2001		10/15/2001	0	8/15/2001	2 M	Y	Y	Y
AR	Y	RECORDED ASSIGN RCVD	11/2/2001										
FS	N	FILG RCPT STATUS CHK	8/15/2001	3 M	11/15/2001		11/15/2001	0	9/26/2001	0 M	Y	Y	Y
Z1	N	LTR DUTY OF CANDOR	8/15/2001	3 M	11/15/2001		11/15/2001	0	11/13/2001	2 M	Y	Y	Y
DS	N	INF DISCLOSURE STMT	8/15/2001	3 M	11/15/2001		11/15/2001	0	1/17/2002	1 M	Y	Y	Y
Z2	N	LTR FORGN FILING 6M	8/15/2001	6 M	2/15/2002		2/15/2002	0	2/27/2002	2 M	Y	Y	Y
FO	N	FOREIGN FILING DUE	8/15/2001	12 M	8/15/2002		8/15/2002	0	7/18/2002	3 M	Y	Y	Y
PT	Y	ASSOC POWER OF ATTY	9/17/2002										
PU	N	PUBLICATION	8/15/2001	18 M	2/15/2003		2/15/2003	0	3/3/2003	1 M	Y	Y	Y
RE	N	RESPONSE TO OA	9/3/2003	3 M	12/3/2003	3 1	3/3/2004	1	12/3/2003	1 M	Y	Y	Y
Z6	N	IDS TRNSMT FRGN SRCH	12/16/2003	3 M	3/16/2004		3/16/2004	0	2/12/2004	3 M	Y	Y	Y
FROM PCT SEARCH REPORT RCVD ON 12/16/03													
RR	N	RESTRICTION REQUIRE	2/25/2004	1 M	3/25/2004	5 1	8/25/2004	0	3/10/2004	1 M	Y	Y	Y
RE	N	RESPONSE TO OA	6/3/2004	3 M	9/3/2004	3 1	12/3/2004	0	8/31/2004	1 M	Y	Y	Y
RE	N	RESPONSE TO OA	1/27/2005	3 M	4/27/2005	3 1	7/27/2005	1	4/27/2005	1 M	Y	Y	Y
AMD C													
CI	N	CORRECTED DRAWINGS	1/27/2005	3 M	4/27/2005		4/27/2005	0	4/27/2005	0 M	Y	Y	Y
R1	N	NON-COMPLIANT AMEND	7/20/2005	1 M	8/20/2005	5 1	1/20/2006	0	8/1/2005	0 M	Y	Y	Y
REPLACEMNT DRAWINGS													
SR	Y	STATUS REQUEST	1/25/2006										
ER	N	EARLY RESP FINAL REJ	3/7/2006	2 M	5/7/2006		5/7/2006	0	6/6/2006	1 M	Y	Y	Y
CX	Y	RQST CONTINUED EXAM	6/6/2006										
Z6	N	IDS TRNSMT FRGN SRCH	3/9/2006	3 M	6/9/2006		6/9/2006	0	4/12/2006	3 M	Y	Y	Y
refs cited in APL1P214KR OA													
CH	Y	CHANGE OF ADDRESS	8/30/2006										
cust number 00197													
Z6	Y	IDS TRNSMT FRGN SRCH	9/1/2006										
Refs cited in APL1P214KR OA rec'd 9/05/06; was due 12/01/06, per AS 12/08/06 email, Please remove this 'cause it's been issued													

IF	N	ISSUE FEE	8/1/2006	3	M	11/1/2006		11/1/2006	0	8/30/2006	1	M	Y	Y	Y	
PTA=363 DAYS																
ZC	N	SOFT COPIES	10/17/2006	1	M	11/17/2006		11/17/2006	0	10/24/2006	1	M	Y	Y	Y	
Z5	N	LETTERS PATENT	10/17/2006	1	M	11/17/2006		11/17/2006	0		1	M	Y	Y	Y	
on 12/20/06, filed a petition for duplicate letters patent																
ZA	N	ISSUE NOTIFICATION	8/30/2006	3	M	11/30/2006		11/30/2006	0	10/3/2006	1	M	Y	Y	Y	
PTA=564 DAYS																
PE	Y	PETITION	12/20/2006													
petition for duplicate letters patent																
C1	N	CERT OF CORRECTION	10/17/2006	3	M	1/17/2007		1/17/2007	0		1	M	Y	Y	Y	
AS	Y	ASSIGNMENT	3/13/2007													
AR	Y	RECORDED ASSIGN RCVD	3/20/2007													
Recordation Date: 3/13/07; Reel/Frame: 019000/0383																
	Y	DECISION ON PETITION	3/30/2007													
PETITION REQUESTING DUPLICATE LETTERS PATENT HAS BEEN DISMISSED																
RQ	N	REQ RECONSIDERATION	3/26/2007	2	M	5/26/2007		5/26/2007	0		1	M	Y	Y	Y	
Z4	N	LTR BROAD REISSUE	10/17/2006	18	M	4/17/2008		4/17/2008	0		2	M	Y	Y	Y	
BR	N	BROADENED REISSUE DL	10/17/2006	24	M	10/17/2008		10/17/2008	0		6	M	Y	Y	Y	
M1	N	1ST MAINT FEE DUE	10/17/2006	42	M	4/17/2010	1	6	10/17/2010	0		6	M	Y	Y	Y
M2	N	2ND MAINT FEE DUE	10/17/2006	90	M	4/17/2014	1	6	10/17/2014	0		6	M	Y	Y	Y
M3	N	3RD MAINT FEE DUE	10/17/2006	138	M	4/17/2018	1	6	10/17/2018	0		6	M	Y	Y	Y

INVENTORS

KING, Nick

CULBERT, Michael F.

ASSIGNEES

Apple Inc.

USER-DEFINABLE FIELDS		PATENT FIELDS			
ACDE		SMALL ENTITY	NO	ART UNIT	2615
TXT2		CLAIMS		EXAMINER	
PUB#		PUBLICATION#	US-2003-0035555-A1	CONFIRM#	1140
P03950US00		ENTERED	3/23/2001	MODIFIED	3/30/2007 3: BY LR PAY ATTORNEYS MJF / MBL / MSH

NOTES
PER CDT/KRISTINA'S E-MAIL DTD 4/6/01 TO ADD MJF TO CASE. (4/6/01 DM); PER CDT/KRISTINA'S EMAIL DTD 5/24/01 TO CHANGE THE LISTING FROM CDT/MJF/MJF TO CDT/MBL/MBL (5/24/01 DM)